

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

TRIPLE D GEAR, LLC, §
§
Plaintiff, § Civil Action No. **3:23-CV-2396-L**
v. §
§
SOUTHERN METHODIST §
UNIVERSITY, §
§
Defendant. §

ORDER

On June 21, 2024, the parties filed a Joint Status Report and Discovery Control Plan (the “Joint Report”) (Doc. 28) indicating that the outcome in *City of Dallas v. Triple D Gear, LLC*, Case No.: 3:23-cv-02367-K (the “related action”) may affect this civil action. The parties agree and request that discovery should not commence, and pretrial deadlines should not be scheduled in this action until after the related action is complete. Doc. 28 at 2. Further, the parties stated that they would file an agreed motion to stay this action pending the disposition of the related action within 30 days of the date of the Joint Report. *Id.*

The court is not opposed to the relief sought by the parties; however, rather than stay the action, the court will administratively close it. It would be unproductive to set the pretrial deadlines in this case if the deadlines are entirely contingent on the disposition of the related case. Further, any case over three years old is considered an “old” case by the Administrative Office and is put on a national report. The age of a case continues to accrue if it is merely stayed; however, if it is administratively closed, the time is tolled, and the case does not age. Accordingly, the court determines that this case should be, and is hereby, **administratively closed**. The United States District Clerk is hereby **instructed** to submit JS-6 form to the Administrative Office, thereby

removing this case from the statistical records. Nothing in this order shall be considered a dismissal or disposition of this case, and, should further proceedings in it become necessary or desirable, any party may file a motion to reopen the case to initiate such further proceedings, or the court may take such action *sua sponte*. The parties **shall** file a written joint status report every 90 days (starting from the date of this order) or within seven days of the disposition of the related case, whichever is earlier, to notify the court regarding the status of the related case, any settlement efforts, and the appropriateness of reopening this action.

It is so ordered this 24th day of June, 2024.



Sam A. Lindsay
United States District Judge